

Amendment No. 2 to HB3383

**Dennis
Signature of Sponsor**

AMEND Senate Bill No. 2879*

House Bill No. 3383

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 70, Chapter 4, Part 1, is amended by adding the following as a new section:

70-4-133.

(a) It is the intent of this section to address the illegal translocation and release of wild-appearing swine. These animals have been shown to be destructive to native habitats, agricultural lands and private property and are carriers for a myriad of diseases that affect humans, livestock and wildlife.

(b) It is not the intent of this section to impede the legal transportation of swine that are regulated by the department of agriculture.

(c) As used in this section, "wild-appearing swine" means swine that are, at maturity, two feet to three feet (2' – 3') tall and three and one-half feet to five feet (3 ½' -- 5') long and, at maturity, have the following physical features in comparison to domestic swine:

- (1) Massive heads with smaller, pointed and heavily-furred ears;
- (2) Heavier shoulders that slope down to small hips, giving the animal an outline similar to an American bison;
- (3) Long and thin snouts;
- (4) Upper tusks or whitters that curl up and out and rub against the lower tusks, making a knifelike edge against the lower tusks; and
- (5) Straight tails that are tufted at the tip.

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(d) It is an offense for any person to knowingly transport or release into the wild, or cause to be transported into or within the state, live wild-appearing swine that do not have documentation approved by the department of agriculture.

(e) Notwithstanding the provisions of § 70-6-101, any stop, search or arrest pursuant to this section by an officer of the agency shall be predicated upon reasonable suspicion that a violation of this section has occurred.

(f) A violation of subsection (d) is a Class A misdemeanor. Each undocumented wild-appearing swine illegally transported or released in violation of subsection (d) is a separate offense.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.